



Dkt. 72157 CCD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bruce Joseph MALINER et al.

Serial No.: 10/802,346

Examiner C. H. Davis

Filed : March 17, 2004

Group Art Unit 3611

For : CONTAINER LABEL WITH TEAR-OFF PART

RESPONSE TO REQUIREMENT FOR RESTRICTION

1185 Ave. of the Americas
New York, N.Y. 10036
June 21, 2006

Commissioner for Patents,
P. O. Box 1450,
Alexandria, VA 22313-1450

S I R:

In response to the Office Action dated December 29, 2005, requiring restriction of the above-identified application to one of two identified inventions, respectively designated Group I and Group II therein, applicants hereby elect Group I (label, claims 1 - 19). This election is made without traverse, but without prejudice to the presentation of claims to the non-elected invention in a divisional application.

The Office Action also sets forth (at pp. 3-4, in numbered section 4) a requirement for election of species. This election requirement was previously made in an Office Action dated July 6, 2005, to which applicants filed a response on October 11, 2005, electing the species of Group 2, drawn to Fig. 7. Applicants hereby confirm that election of the species of Group 2.

As stated in their response filed on October 11, 2005, claims readable on the elected species are claims 1, 2, 3, 4,

6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25. Of these, claims 20 - 25 are drawn to the non-elected (Group II) invention. Thus, the claims to the elected Group I invention that are readable on the elected Group 2 species, including generic claims, are claims 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19.

Respectfully,

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I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

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Date: JUNE 21, 2006